



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

107

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,163	09/27/2001	Shridhar P. Joshi	47079-0117	3932
30223	7590	03/22/2005	EXAMINER	
JENKENS & GILCHRIST, P.C. 225 WEST WASHINGTON SUITE 2600 CHICAGO, IL 60606			RADA, ALEX P	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/965,163	JOSHI, SHRIDHAR P. 
Examiner	Art Unit	
Alex P. Rada	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 28 February 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1,3,4,14,16,18,20,21,27,37 and 38 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1,3,4,14,16,18,20,21,27,37 and 38 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_\_  
4)  Interview Summary (PTO-413)  
    Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

In response to the Election/Restriction mailed February 28, 2005 in which the applicant elects group 6 which includes claims 37-38, previously cancels claims 2, 5-13, 15, 17, 19, 22-26, withdraws claims 28-36 and 39, and claims 1, 3-4, 14, 16, 18, 20-21, 27, and 37-38 are pending in this office action.

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the flow chart for claims 1, 14, 16, 27, and 37-38 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 14, 18, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moody (US 2002/0093136) in view of Brandstetter et al. (US 2003/0036427).

4. Moody discloses the following:

A gaming machine receiving a wager to initiate play, randomly selecting an outcome for the game from a plurality of possible outcome, representing the selected outcome on a visual display (20), awarding a monetary payout from the gaming machine for a winning outcome (paragraph 31), dispensing a tangible sweepstakes entry from the gaming machine in response to the selected outcome being a predetermined one or more of the plurality of possible outcomes (paragraph 30), submitting the sweepstakes entry to enter the sweepstakes without involving the gaming machine, conducting the sweepstakes after the sweepstakes entry is dispensed from the gaming machine (paragraph 25 and summary), and the gaming machine in response to wagering on all available pay

lines, in which the examiner interprets to be the max bet for one pay line as recited in claims 1, 14, 18, and 27.

Moody does not expressly disclose the following:

Completing the tangible sweepstakes entry form manually with identifying indicia as recited in claims 1, 14, 18, and 27

Brandstetter et al teaches the following:

Completing the tangible sweepstakes entry form manually with identifying indicia (paragraphs 19-21 and 37 and summary) as recited in claims 1, 14, 18, and 27. By completing a sweepstakes entry form manually, one of ordinary skill in the art would provide game players a chance at a supplemental award to there initial gaming award.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Moody to include the completion of the tangible sweepstakes entry form manually with identifying indicia as taught by Moody to provide game players a chance at a supplemental award to there initial gaming award.

5. Claims 3-4, 16, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moody (US 2002/0093136) in view of Brandstetter et al. (US 2003/0036427) as applied to claims 1, 14, and 18 above, and further in view of Horniak et al. (Us 20030100362).

6. Moody in view of Brandstetter et al disclose the claimed invention as discussed above except for the following:

The predetermined one or more of the plurality of possible outcomes is associated with the monetary payout exceeding a predetermined threshold and below a predetermined threshold as recited in claims 3-4, 16, and 20-21.

Horniak et al teaches the following:

One or more of the plurality of possible outcomes is associated with the monetary payout exceeding a predetermined threshold and below a predetermined threshold (paragraphs 43-44). By having a predetermined threshold associated with the monetary payout, one of ordinary skill in the art would provide an incentive to the players of a slot machine to continue to use the slot machine (paragraph 10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Moody to further include one or more of the plurality of possible outcomes being associated with the monetary payout exceeding a predetermined threshold and below a predetermined threshold as taught by Horniak to provide an incentive to the players of a slot machine to continue to use the slot machine.

7. Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moody (US 2002/0093136) in view of Brandstetter et al. (US 2003/0036427) and Erlichson et al. (US 2001/0039513).

8. Moody discloses the following:

A gaming machine receiving a wager to initiate play, randomly selecting an outcome for the game from a plurality of possible outcome, representing the selected outcome on a visual display (20), awarding a monetary payout from the

gaming machine for a winning outcome (paragraph 31), and dispensing a tangible sweepstakes entry from the gaming machine in response to the selected outcome being a predetermined one or more of the plurality of possible outcomes (paragraph 30), and conducting the sweepstakes after the sweepstakes entry is dispensed from the gaming machine (paragraphs 25, 53-58, and summary) as recited in claim 37.

Moody does not expressly disclose the following:

Completing the sweepstakes entry from via a web site on an Internet with identifying indicia on an electronic sweepstakes entry form and submitting the electronic sweepstakes entry form via the website on the Internet to enter the sweepstakes without involving the gaming machine as recited in claim 37.

The website has a security access code for allowing access to the website as recited in claim 38.

Brandstetter et al teaches the following:

Completing the sweepstakes entry form with identifying indicia without involving the gaming machine (paragraphs 19-21 and 37-38 and summary) as recited in claim 37. By having completing the sweepstakes entry form, one of ordinary skill in the art would provide game players a chance at a supplemental award to there initial gaming award.

Erlichson et al teaches the following:

Submitting an electronic sweepstakes entry form via a website on the Internet (paragraph 5) and allowing access to the website (figures 1-4) as recited in claims 37 and 38. By submitting an electronic sweepstakes entry form via the

website on the Internet, one of ordinary skill would provide game players a chance at a supplemental award to there initial gaming award.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Moody to further include completing the sweepstakes entry from via a web site on an Internet with identifying indicia on an electronic sweepstakes entry form and submitting the electronic sweepstakes entry form via the website on the Internet to enter the sweepstakes without involving the gaming machine as taught by Brandstetter et al and Erlichson et al to provide game players a chance at a supplemental award to there initial gaming award.

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cairns (US 6,173,267) discloses a product promotional contest with an Internet address and a password.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex P. Rada whose telephone number is 571-272-4452. The examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on 571-272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

APR  
APR



JESSICA HARRISON  
PRIMARY EXAMINER